1	EXEMPTION FROM NONRESIDENT TUTTION
2	2002 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: David Ure
5	This act modifies the State System of Higher Education code to allow a student who meets
6	certain requirements to be exempt from paying nonresident tuition at institutions of higher
7	education. This act requires the State Board of Regents to make rules. This act takes effect
8	on July 1, 2002.
9	This act affects sections of Utah Code Annotated 1953 as follows:
10	ENACTS:
11	53B-8-106 , Utah Code Annotated 1953
12	Be it enacted by the Legislature of the state of Utah:
13	Section 1. Section 53B-8-106 is enacted to read:
14	53B-8-106. Resident tuition Requirements Rules.
15	(1) If allowed under federal law, a student, other than a nonimmigrant alien within the
16	meaning of paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United States Code,
17	shall be exempt from paying the nonresident portion of total tuition if the student:
18	(a) attended high school in this state for three or more years;
19	(b) graduated from a high school in this state or received the equivalent of a high school
20	diploma in this state; and
21	(c) registers as an entering student at an institution of higher education not earlier than the
22	fall of the 2002-03 academic year.
23	(2) In addition to the requirements under Subsection (1), a student without lawful
24	immigration status shall file an affidavit with the institution of higher education stating that the
25	student has filed an application to legalize his immigration status, or will file an application as
26	soon as he is eligible to do so.
27	(3) The State Board of Regents shall make rules for the implementation of this section.



(4) Nothing in this section limits the ability of institutions of higher education to assess
nonresident tuition on students who do not meet the requirements under this section.
Section 2. Effective date.
This act takes effect on July 1, 2002.

Legislative Review Note as of 1-30-02 10:17 AM

H.B. 144

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

01-30-02 4:42 PM

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